

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8169 OF 2006

M/s.A.V.Bhat & Co. & another	Petitioners
versus	
The Municipal Corporation of	
City of Pune and others	Respondents

Mr.R.A.Dada, Sr.Counsel with Mr.G.S.Godbole for petitioners.
Mr.V.G.Mujumdar for respondent no.1.
Mrs.M.P.Thakur, AGP for respondent no.2.
Mr.Dilip Babulal Tapadia, respondent no.5 and partner of respondent no.4 present in person

CORAM : F.I.REBELLO AND
R.V.MORE, JJ.

DATE : 29th January 2007

PC :

1. Appearance put on behalf of respondent nos.1, 2 and 3. Shri Dilip Babulal Tapadia is present in person who is respondent no.5 and who is partner of respondent no.4. The grievance of the petitioner is that in spite of they having development permission for a slum rehabilitation project, on complaint filed by respondent nos.4 and 5, the Hon'ble Chief Minister was pleased to grant a stay, which was communicated to the Commissioner, Pune Municipal Corporation on 15th July 2006 in respect of development on the suit

land. Our attention is invited to Writ Petition No.5017 of 2005 as also Civil Application No.2230 of 2005 where this Court has passed various directions.

2. We do not propose to go into the merits of the matter as the case of the petitioner is that he has applied for vacating the ex-parte interim stay granted against them. The first such application is of 18th July 2006. In spite of that, till date, the matter is not heard.

3. Considering the grievance of the petitioner, in our opinion, and as the project is an SRA Project, the Hon'ble the Chief Minister of Maharashtra State is directed to dispose off the petitioner's application for vacating the ex-parte stay within four weeks from today after hearing the petitioner and respondent nos.4 and 5 as also respondent no.1. Petitioners to file a copy of this order in the office of Hon'ble Chief Minister for further action. With the above observations the petition is disposed off. There shall be no order as to costs.

(R.V.MORE, J.)

(F.I.REBELLO, J.)